

REMARKS

Summary of Office Action

Claims 1-24 are pending in this application.

The Examiner rejected claims 8-14 and 20-24 under 35 U.S.C. § 112, second paragraph, "as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention" (Office Action, page 2, lines 8-10).

Claims 1-5 and 8-12 were rejected under 35 U.S.C. § 102(b) as being anticipated by Brenner et al. United States Patent No. 5,830,068 (hereinafter "Brenner").

Claims 6, 7, and 13-24 were rejected under 35 U.S.C. § 103(a) as being obvious from Brenner in view of Miller United States Patent No. 5,255,915 (hereinafter "Miller").

Summary of Applicants' Reply

Claims 1, 5-8, 11-15, 20, and 22-24 have been amended to more particularly define the invention. New claims 25-48 have been added. No new matter has been introduced as a result of these amendments.

This Reply is accompanied by a Supplemental Information Disclosure Statement.

The Examiner's claim rejections are respectfully traversed.

The Section 112 Rejection

The Examiner rejected claims 8-14 and 20-24 under 35 U.S.C. § 112, second paragraph, "as indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention" (Office Action, page 2, lines 8-10). In particular, the Examiner contends that "[t]he systems claimed in claims 8-14 and 20-24 lack means to provide the game limitations" (Office Action, page 2, lines 12 and 13). In response to the Examiner's rejection, applicants have amended independent claims 8 and 20 to define the interactive wagering system as "comprising user equipment configured to" provide the features of those claims. Accordingly, the Examiner's rejection under section 112 should be withdrawn.

The Section 102 Rejection

The Examiner rejected claims 1-5 and 8-12 under 35 U.S.C. § 102(b) as being anticipated by Brenner. This rejection is respectfully traversed.

Applicants' invention, as defined by independent claims 1 and 8 as amended, is directed towards a method and system for providing a user with information related to wagering. The user is given the ability to create a wager for a specific race. After the user has created the wager, the user is provided with an indicator that is used to indicate availability of information related to the race. As defined by applicants' amended claims 1 and 8, the indicator is provided "not in response to a user request for the indicator."

As shown in applicants' FIG. 13, for example, a user is provided with an indicator display 308 that is provided as an overlay on a video or application. Indicator display 308 is an example of an "indicator [that] is used to indicate to the user availability of information related to [a] race" upon which a user has created a wager, as defined by applicants' amended claims 1 and 8. As set forth in applicants' specification, indicator display 308 is provided to a user "without [the user] requesting the outcome of the race or the wager" (page 41, lines 10 and 11). In other words, indicator 308 is provided to the user "not in response to a user request for the indicator," as defined by applicants' amended claims 1 and 8.

Brenner refers to an interactive wagering system that allows a user to view racing information and place bets using an off-track user terminal. Applicants submit that Brenner gives a user the ability to create a wager for a race and that Brenner allows the user to view information related to that race. However, applicants respectfully submit that Brenner, and in particular the portions of Brenner referred to by the Examiner, do not disclose applicants' specific improvement of providing a user with an indicator used to indicate the availability of information related to a race not in response to a user request for the indicator, as defined by amended claims 1 and 8.

Thus, for at least this reason, amended claims 1 and 8 are not anticipated by Brenner and are allowable. In addition, claims 2-5 and 9-12 are allowable at least because independent claim 1, from which claims 2-5 depend, and independent claim 8, from which claims 9-12 depend, are allowable. Accordingly, applicants respectfully request that the rejection of claims 1-5 and 8-12 be withdrawn.

The Section 103 Rejection

The Examiner rejected claims 6, 7, and 13-24 under 35 U.S.C. § 103(a) as being obvious from Brenner in view of Miller. This rejection is respectfully traversed.

Claims 6, 7, 13, and 14

Independent claims 1 and 8 have been shown to be allowable. Therefore, claims 6 and 7 and claims 13 and 14, which depend from claims 1 and 8, respectively, are also allowable. Accordingly, applicants respectfully request that the rejection of claims 6, 7, 13, and 14 be withdrawn.

Claims 15-24

Applicants' invention, as defined by amended claims 15 and 20, is directed towards a method and system for providing a user with the ability to place a wager. The user is given the ability to create the wager for a specific race. The user is not required to place the wager at the time of creating the wager. The user is provided with an indicator that reminds the user to place the wager before the race. As defined by applicants' amended claims 15 and 20, the indicator is provided not in response to a user input.

Applicants submit that Brenner allows a user to create a wager for a specific race without having to place the wager at the time of creating the wager. However, applicants submit that Brenner does not disclose applicants' specific improvement of providing a user with an indicator not in response to a user input to remind the user to place the wager before the race, as defined by applicants' amended claims 15 and 20.

Furthermore, the Examiner's reliance on Miller's alleged "indicator" still fails to teach applicants specific improvement. Miller refers to a six-card draw-poker-like card game that is played using a computer and a video screen (see Abstract). The Examiner contends that Miller discloses the indicator feature of applicants' claims 15 and 20. Applicants respectfully disagree. Miller discloses displaying "an onscreen prompt to the player reminding the player that a wager is required," and that "a wager may be made by deposit of a coin or token or by signaling the use [of] previously accumulated credits from prior winnings" (column 4, lines 48-51 and 54-46). Miller also discloses "permit[ting] a player to wager more than one coin per wager" (column 7, lines 34 and 35). Thus, in order to make a wager in Miller, a player first

creates the wager by depositing a desired number of coins or signaling the use of a desired number of credits. After the wager has been created, the player then may place the wager. The prompt in Miller, "reminding the player that a wager is required," is actually a prompt reminding the user to both create and place a wager, or at least to begin creating a wager. In contrast, the indicator as defined by applicants' amended claims 15 and 20 reminds the user to place a wager that the user already created. Thus, Miller does not disclose applicants' claimed feature of providing an indicator that reminds a user to place a wager that the user created.

Thus, for at least this reason, amended claims 15 and 20 are not obvious from Brenner in view of Miller and are allowable. In addition, dependent claims 16-19 and 21-24 are allowable because independent claim 15, from which claims 16-19 depend, and independent claim 20, from which claims 21-24 depend, are allowable. Accordingly, applicants respectfully request that the rejection of claims 15-24 be withdrawn.

New Claims

Claims 25-38

New claims 25-38 have been added. New independent claims 25 and 32 are directed towards a system and a computer readable medium and are similar to independent claims 1 and 8. Therefore, new independent claims 25 and 32 are allowable for similar reasons as to why independent claims 1 and 8 are allowable, and new dependent claims 26-31 and 33-38 are allowable because they depend from new independent claims 25 and 32, respectively.

Claims 39-48

New claims 39-48 have been added. New independent claims 39 and 44 are directed towards a system and a computer readable medium and are similar to independent claims 15 and 20. Therefore, new independent claims 39 and 44 are allowable for similar reasons as to why independent claims 15 and 20 are allowable, and new dependent claims 40-43 and 45-48 are allowable because they depend from new independent claims 39 and 44, respectively.



Conclusion

In view of the foregoing, claims 1-48 are patentable.
This application is therefore in condition for allowance.
Reconsideration and prompt allowance of this application are
respectfully requested.

Respectfully submitted,

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